MARK E. DAVIS-BAR NO.79936 1 DAVIS & YOUNG, APLC 1960 The Alameda, Suite 210 2 San Jose, CA 95126 Phone: 408.244.2166 DISTR 408.244.7815 Fax: 4 5 Attorneys for Defendants IT IS SO ORDER OAK GROVE SCHOOL DISTRICT, 6 MANNY BARBARA, KATHERINE BAKER, RICHARD HOLTERMANN TAMARA UNCK, RISA QUON, NANCY 7 LETTENBERGER, JACQUELINE ADAMS, JEREMY NISHIHARA. 8 DIANNE LEMKE and DENNIS **HAWKINS** 9 10 1/25/2011 11 UNITED STATES DISTRICT COURT 12 13 IN AND FOR THE STATE OF CALIFORNIA 14 NORTHERN DISTRICT 15 16 J.J., a minor, by and through his No. C 08 05376 JW Guardian ad litem. Robert M. Vantress. 17 STIPULATION AND ORDER TO CONTINUE Plaintiff, DEFENDANTS OAK GROVE SCHOOL 18 DISTRICT, MANNY BARBARA, KATHERINE BAKER, RICHARD HOLTERMANN, TAMARA 19 VS. UNCK, RISA QUON, NANCY OAK GROVE SCHOOL DISTRICT, a LETTENBERGER, JACQUELINE ADAMS. 20 public entity school district, et al., JEREMY NISHIHARA, DIANNE LEMKE and DENNIS HAWKINS' and DEANNA MOUSER 21 AND ATKINSON, ANDELSON, LOYA, RUUD Defendants. & ROMO'S MOTIONS TO DISMISS 22 DATE: 2/14/11 23 9:00 A.M. 8, 4<sup>TH</sup> Floor TIME: DEPT.: 24 JUDGE: Hon. James Ware 25 Complaint Filed: November 26, 2008 Trial Date: TBD: 26 27 ///

IT IS HEREBY STIPULATED, pursuant to Civil Local Rule 6-2, between Plaintiff J.J., a minor, by and through his appointed Guardian ad Litem, Robert M. Vantress and counsel for Defendants Oak Grove School District, Manny Barbara, Katherine Baker, Richard Holtermann, Tamara Unck, Risa Quon, Nancy Lettenberger, Jacqueline Adams, Jeremy Nishihara, Dianne Lemke and Dennis Hawkins, and counsel for Defendants Deanna Mouser and Atkinson, Andelson, Loya, Ruud & Romo, that:

- 1. Defendants Oak Grove School District, Manny Barbara, Katherine Baker, Richard Holtermann, Tamara Unck, Risa Quon, Nancy Lettenberger, Jacqueline Adams, Jeremy Nishihara, Dianne Lemke and Dennis Hawkins motion to dismiss Plaintiff's First Amended Complaint, currently scheduled for February 14, 2011, be continued to March 28, April 18, or May 2; and
- 2. Defendants Deanna Mouser and Atkinson, Andelson, Loya, Ruud & Romo 's motion to dismiss Plaintiff's First Amended Complaint, currently scheduled for February 14, 2011, be continued to March 28, April 18, or May 2.

The Court has expressed a preference that the parties try to settle this case. A settlement conference has been scheduled with Magistrate Judge Grewal on January 26, 2011.

With the currently scheduled motions to dismiss on February 14, 2011, plaintiff's opposition to said motions would be due prior to the January 26, 2011, settlement conference. Plaintiff's attorney and defendants' attorneys are therefore agreeable to a continuance of defendants' motions to dismiss so plaintiff's attorney does not have to incur the time and expense of preparing an opposition to defendants' motions to dismiss pending the outcome of the January 26, 2011, settlement conference.

THEREFORE, the parties agree and stipulate, through their respective counsel, that:

Defendants Oak Grove School District, Manny Barbara, Katherine Baker,
 Richard Holtermann, Tamara Unck, Risa Quon, Nancy Lettenberger, Jacqueline Adams,

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1	Jeremy Nishihara, Dianne Lemke and Dennis Hawkins' motion to dismiss be continued	
2	from February 14, 2011, to March 28, April 18, or May 2; and	
3	2. Defendants Deanna Mouser and Atkinson, Andelson, Loya, Ruud & Romo	o 's
4	motion to dismiss Plaintiff's First Amended Complaint be continued from February 14,	
5	2011, to March 28, April 18, or May 2.	
6	IT IS SO STIPULATED.	
7	DATED: VANTRESS LAW GROUP	
8	VANTILOS LAVV GILOUIT	
9	By/s/	
10	Robert M. Vantress Attorneys for Plaintiff	
11	J.J., a minor	
12	DATED: DAVIS & YOUNG, APLC	
13		
14	By _/s/	
15	Mark E. Davis Attorneys for Defendants	
16	OAK GROVE SCHOOL DISTRICT, MANNY BARBARA, KATHERINE	
17	BAKER, RICHARD HOLTERMANN TAMARA UNCK, RISA QUON,	,
18	NANCY LETTENBERGER, JACQUELINE ADAMS, JEREMY	
19	NISHIHARA, DIANNE LEMKE and DENNIS HAWKINS	
20	DATED	
21	DATED:  ATKINSON, ANDELSON, LOYA, et al.	
22		
23	By <u>/s/</u>	·
25	Deanna J. Mouser  Attorneys for Defendants  DEANNA J. MOUSER and	
26	ATKINSON, ANDELSON, LOYA, RUUD & ROMO	
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ORDER PURSUANT TO STIPULATION, IT IS ORDERED that defendants Oak Grove School District, Manny Barbara, Katherine Baker, Richard Holtermann, Tamara Unck, Risa Quon, Nancy Lettenberger, Jacqueline Adams, Jeremy Nishihara, Dianne Lemke and Dennis Hawkins' motion to dismiss and Defendants Deanna Mouser and Atkinson, Andelson, Loya, Ruud & Romo 's motion to dismiss be continued from February 14, 2011, to May 2, 2011 at 9:00 AM IT IS SO ORDERED. DATED: January 25, 2011 TATES DISTRICT CHIEF JUDGE